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HOUSTON TX 77057-2631

<i>In re</i> Application of:	:	
JIANG, TONGBI ET AL.	:	
Serial No.: 10/689,471	:	DECISION ON PETITION TO
Filed: October 20, 2003	:	WITHDRAW FINALITY OF
Docket: MCT.0015C2US (97-0524.04)	:	OFFICE ACTION
Title: A METHOD FOR FORMING A STENCIL	:	

This is a decision on the petition filed on October 31, 2005 to withdraw the finality of the Office Action of November 9, 2005.

The request for reconsideration is **DISMISSED as moot**.

In his October 31, 2005 petition the applicant requested the withdrawal of the finality of the Office Action dated December 5, 2005. In support of his petition, the applicant argues that the June 27, 2005 amendment did not necessitate a new ground of rejection to which a new reference could be applied.

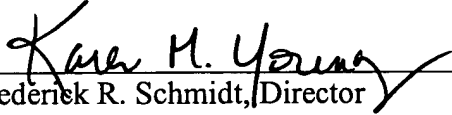
The record shows that:

- 1) On April 22, 2005 the examiner issued a first Office Action rejecting Claims 34-38.
- 2) On June 27, 2005 the applicant responded to the Office Action including amendment to Claim 34.
- 3) On August 31, 2005 the examiner issued a final Office Action rejecting Claims 34-38.
- 4) On September 21, 2005 the applicant submitted an amendment after final including amendment to Claim 34.
- 5) On September 29, 2005 the examiner issued an advisory action stating that the amended claims raise new issues of which further search and/or consideration is required.
- 6) On October 31, 2005 the applicant filed the present petition. The applicant alleges that August 31, 2005 Office Action should not have been final since the examiner used new references that were not necessitated by the amended claims.
- 7) On December 5, 2005 the applicant filed a Request for Continued Examination.
- 8) On February 9, 2006 the examiner issued a non-final Office Action, stating that in light of the Request for Continued Examination, "the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114."

*Application Serial No. 10/689,471*  
*Decision on Petition*

In view of the history, the relief the applicant requested, namely the withdrawal of the finality of the August 31, 2005 Office Action, has already occurred. On February 9, 2006 the examiner specifically considered the Request for Continued Examination and withdrew the finality of the previous Office Action. Accordingly, the petition is dismissed as moot.

Any inquiry regarding this decision should be directed to Henry Yuen, Special Program Examiner, at (571) 272-4856.

for   
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Frederick R. Schmidt, Director  
Technology Center 3700